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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Yasuyuki Arai

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08/19/2010

Robinson Intellectual Property Law Office, P.C.

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EXAMINER

POPE, DARYL C

ART UNIT

PAPER NUMBER

2612

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

1. Applicant's arguments filed 6/30/2010 have been fully considered but they are not persuasive.

APPLICANT'S ARGUMENTS:

1) For the reasons provided below, Kayanakis does not teach or suggest the above referenced features of the present invention. Referring to the above-referenced features of claims 1,7,44,46 and 48,.....In accordance with MPEP 2144.03, the Applicant respectfully traverses the above-referenced assertions and requests that the Examiner cite references in support of his position or allow the claims.

2) With reference to the above referenced features of claims 2, 5,6,45 and 47, the thin film integrated circuit and/or the antenna is/are mounted on a surface of the film-like article.....the Official Action asserts that "it would have been obvious that the antenna or circuit would have been readily mounted on or inside the paper". The Applicant respectfully disagrees and traverses the assertions in the Official Action.

3) Kayanakis discloses that the fabrication of the antenna forms an important characteristic of the invention as it contributes to providing a less expensive ticket.....the Applicant respectfully traverses the above referenced assertions and requests that the Examiner cite references in support of his position or allow the claims.

4) Regarding dependent claims 8-12, the Official Action asserts that "connection of the circuits to the antenna through an opening in the substrate would have been obvious.....In accordance with MPEP 2144.03, the Applicant respectfully traverses

the above-referenced assertions and requests that the Examiner cite references in support of his position or allow the claims.

EXAMINER'S RESPONSE:

1) Applicant goes into great detail as to how the prior art of record does not teach all of the claimed limitation, and as well, how the examiner's use of Official Notice with regards to the claimed thin film integrated circuit including a thin film transistor and semiconductor are not limitation that would have been readily known in the art. The applicant further went on to challenge the examiner's assertion by requiring that the examiner cit references in support of this position.

In response, the examiner directs the applicant to the reference to Reddy(6,509,217) which clearly teaches this above stated claimed subject matter. As well, Applicant's representative was fully aware of this reference to Reddy, based on a review of Application number 11/044,609, in which Reddy was utilized to reject claims having limitations including a thin film integrated circuit including a thin film transistor, operationally connected antenna, and semiconductor film.

The examiner asks, why would applicant's representative challenge the examiner's assertion of Official Notice, with regards to these claimed limitations, when applicant's representative was fully aware of the existence of the reference to Reddy, which clearly teaches these limitations being well known in the art? The applicant's representative did not refute the validity of this reference with regards to disclosing use of a thin film integrated circuit, and transistor for a film like article in this instance, and as well, cited this reference in the IDS filed in this application.

With regards to the claimed thickness of 0.2 micro meters, although the prior art of record does not specifically teach a specific thickness of the film, the examiner deems that thickness would have constituted a matter of obvious design choice. The mere fact that the prior art of record already teaches use of the integrated circuit in a ticket, implies a desire to minimize thickness as low as possible. Therefore, the exact thickness of any of the components of the ticket would always be desired to be thin, while at the same time functional. In view of this, for one of ordinary skill in the art to specify the thickness of the semiconductor film would not have been deemed a patentable concept, since thin components is a concept that is already taught and desired by Kayanakis.

2-4) With regards to applicant's arguments, the examiner deems applicant's arguments to be speculative. Firstly, Applicant incorrectly assumes that the examiner is utilizing Official Notice with regards to the rejection of the claims listed in arguments 2-4. However, If the examiner chose to use Official Notice for the purpose of rejecting these claims, then it would have been stated as such. The examiner was merely trying to use sound reasoning as to what would have been obvious to one of ordinary skill in the art at the time the invention was made. Although Kayanakis does not specifically teach an embodiment in which the antenna is placed outside of the article, this does not preclude one of ordinary skill in the art modifying the device of Kayanakis such that this would have occurred. To state that it would not have been possible is purely speculative on the applicant's part, since the prior art of record does not specifically teach against this possibility. In view of this, applicant's arguments are not deemed persuasive.

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL POPE whose telephone number is (571)272-2959. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MIKE RAZAVI can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DARYL POPE/
Primary Examiner, Art Unit 2612

DARYL POPE
Primary Examiner
Art Unit 2612